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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/646,151 | 08/21/2003 | Hyung-Seok Yu | 678-1041 (P10425) | 8924 |
| 28249 | 7590 | 05/01/2006 | | EXAMINER |
| DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553 | | | VU, MICHAEL T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/646,151 | YU, HYUNG-SEOK |
| | Examiner Michael Vu | Art Unit 2617 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 February 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3 and 5-9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,3 and 5-9 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 21 August 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 3 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaaresoja (US 2002/0177471) in view of Uriya (US 6,574,489).

Regarding **Claims 1 and 3**, Kaaresoja teaches a method for giving notice of an incoming call in a mobile communication terminal [0029], comprising the steps of: storing a plurality of vibration patterns (Fig. 3, [0012, 0034]), the different ways vibration patterns) the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained [0032-0034], **but is not clear on** time periods for which vibration generation stops, and intensity of vibration for each time period; setting a vibration pattern, from among the stored vibration patterns for a particular telephone number of previously stored telephone numbers in a particular incoming notification mode; and when an incoming call is received from a caller,

generating vibration based on the set vibration pattern if a telephone number of the incoming call matches the particular telephone.

However, Uriya teaches an incoming call notification method and device for a multimode radio device having a speaker, display, or vibrator that respectively output a different sound, display content, or vibration according to the current communication mode; and a control unit that controls operations, including the intensity (**RPM or Amplitude**) of vibration for each time period (Fig. 10-11, C2, L53-67, C8, L39-67 to C9, L1-43, C12, L16-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaaresoja, such that time periods for which vibration generation stops, and intensity of vibration for each time period; setting a vibration pattern, from among the stored vibration patterns for a particular telephone number of previously stored telephone numbers in a particular incoming notification mode; and when an incoming call is received from a caller, generating vibration based on the set vibration pattern if a telephone number of the incoming call matches the particular telephone, to distinguish or identify which incoming call belongs to based on the set of vibration pattern.

Regarding **Claim 5**, Kaaresoja/Uriya teach the method as set forth in claim 3, wherein the plurality of vibration patterns are configured by inputs of an intensity adjustment key and a time adjustment key (Fig. 2-3, [0032-0034]) of Kaaresoja.

Regarding **Claim 6** Okano teaches the method as set forth in claim 5, wherein the intensity adjustment key is a volume adjustment key of the mobile communication

terminal and the time adjustment key is one of a left and right direction key of the mobile communication terminal (Fig. 2-3, [0032-0034]) of Kaaresoja.

Regarding **Claim 7**, Kaaresoja/Uriya teach the method as set forth in claim 5, wherein the configuring and storing the plurality of vibration patterns according to a user's input comprises the steps of: displaying a graph (**Image/Icon**) corresponding to information associated with time periods for which vibration generation is maintained, time periods for which vibration generation stops, and intensity of vibration for each time period, in response to the inputs of the intensity adjustment key and the time adjustment key from the user; and storing a vibration pattern based on the displayed graph in response to a configuration completion command from the user (Fig. 2, 7, and Fig. 11 Images A-N, C2, L49-67 to C3, L1-25, C4, L46-67 to C5, L1-12) of Uriya and (Fig. 2-3 [0032-0034] of Kaaresoja.

Regarding **Claim 8**, Kaaresoja/Uriya teach the method as set forth in claim 3, wherein the plurality of vibration patterns are displayed in form of a graph according to a user's request Fig. 2, 7, and Fig. 11 Images A-N, C2, L49-67 to C3, L1-25, C4, L46-67 to C5, L1-12) of Uriya and (Fig. 2-3 [0032-0034] of Kaaresoja.

Regarding **Claim 9**, Kaaresoja/Uriya teach the method as set forth in claim 3, wherein the plurality of vibration patterns are displayed in text form according to a user's request (C2, L49-67 to C3, L1-25) of Uriya.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131.

The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu



DUC NGUYEN
PRIMARY EXAMINER